

REMARKS

Claims 1-34 are pending in the present application.

1. Amendments to the Specification under 37 C.F.R. 1.312(a)

With respect to the amendments to the specification under 37 C.F.R. 1.312(a), the amendments to the specification under 37 C.F.R. 1.312(a) are needed to provide proper disclosure of the invention.

Moreover, the amendments to the specification under 37 C.F.R. 1.312(a) were not presented at an earlier time because the Applicants did not realize the errors in the specification until the Applicants reviewed the application in response to receiving a First Action Allowance from the Examiner. Although the errors were present in the published patent application, it is not the Assignee's policy to proof read its published patent applications for typographical errors. Thus, in view of the Assignee's policy and the absence of any regulations requiring the Applicants to proof read published patent applications for typographical errors, the amendments to the specification under 37 C.F.R. 1.312(a) could not have been presented at an earlier time.

Lastly, the amendments to the specification under 37 C.F.R. 1.312(a) do not require any substantial amount of additional work on the part of the Office because if the Applicants had discovered these errors prior to the Examiner's issuance of a Notice of Allowance and file a proper Preliminary Amendment prior to the issuance of the Notice of Allowance, the Office would have been required to enter the amendments. Thus, the entry of these amendments to the specification under 37 C.F.R. 1.312(a) does not require any additional work upon the Office.

Accordingly, the Examiner is respectfully requested to enter the amendments to the specification under 37 C.F.R. 1.312(a) because the amendments to the specification under 37 C.F.R. 1.312(a) are needed to provide proper disclosure of the invention; could not have been presented at an earlier time; and do not require any additional work upon the Office.

2. Amendments to the Claims under 37 C.F.R. 1.312(a)

As to amendments affecting the claims, the amendments to the claims under 37 C.F.R. 1.312(a) are needed to provide proper protection of the invention.

Also, the amendments to the claims under 37 C.F.R. 1.312(a) do not require an additional search or examination by the Examiner because in view of the First Office Action Notice of Allowance, the Examiner apparently knew that as to what each of the square symbol represented. If the Examiner did not know what each of the square symbol represented, the Examiner would have issued a First Office Action containing a rejection of the claims, not a First Office Action Notice of Allowance. Thus, the amendments to the claims under 37 C.F.R. 1.312(a) do not require an additional search or examination by the Examiner.

Moreover, the amended claims are allowable as the amended claims are dependent upon allowable independent claim 1.

Lastly, the amendments to the claims under 37 C.F.R. 1.312(a) do not require any substantial amount of additional work on the part of the Office because if the Applicants had discovered these errors prior to the Examiner's issuance of a Notice of Allowance and file a proper Preliminary Amendment prior to the issuance of the Notice of Allowance, the Office would had been required to enter the amendments. Thus, the entry of these amendments to the claims under 37 C.F.R. 1.312(a) does not require any additional work upon the Office.

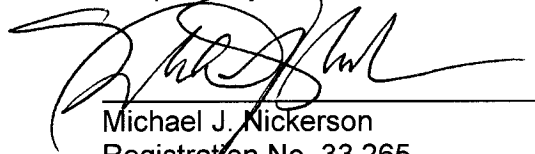
Accordingly, the Examiner is respectfully requested to enter the amendments to the claims under 37 C.F.R. 1.312(a) because the amendments to the claims under 37 C.F.R. 1.312(a) are needed to provide proper protection of the invention; could not have been presented at an earlier time; are allowable; and do not require any additional work upon the Office.

Patent Application Number: 10/644,342
Attorney Docket Number: A2456Q-US-NP

CONCLUSION

Accordingly, in view of all the reasons set forth above, the Examiner is respectfully requested to enter these amendments to the specification and the claims under 37 C.F.R. 1.312(a).

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Michael J. Nickerson', is written over a horizontal line.

Michael J. Nickerson
Registration No. 33,265
Basch & Nickerson LLP
1777 Penfield Road
Penfield, New York 14526
Telephone: (585) 899-3970

MJN/mjn